

**Fair Political Practices Commission**  
**MEMORANDUM**

To: Chairman Randolph, Commissioners Blair, Downey, Huguenin and Remy

From: Carla Wardlow  
Chief, Technical Assistance Division  
Luisa Menchaca  
General Counsel

Date: August 2, 2005

Subject: Adoption of Proposed Amendments to the FPPC Conflict of Interest Code;  
Regulation 18351

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**I. Introduction**

This memorandum discusses proposed amendments to the Conflict of Interest Code for the Fair Political Practices Commission. The agency's conflict of interest code is an administrative regulation of the agency with one distinction. While the Commission will adopt the proposed amendments, the code is submitted to the state Attorney General, as the code reviewing body, for approval. (Section 82011.) Any written comments received on the proposal and the manner of their resolution must be submitted to the Attorney General as well.

The proposed amendments were distributed to members of the staff and to the public for review and comment. No comments have been received.

**II. The Requirements of the Act**

Every government agency must adopt a conflict of interest code that designates the positions within the agency that involve the making or participation in the making of governmental decisions. Individuals holding those positions must file Statements of Economic Interests (Form 700) disclosing the financial interests--investments, business positions, interests in real property, and sources of income--specified in the code. The financial interests required to be disclosed must be of the type that may be affected by the decisions made or participated in by the individuals holding the designated positions. (Sections 87300-87302.)

Conflict of interest codes must be approved by their respective code reviewing body. The code reviewing body for any state agency, other than an agency in the judicial branch of government, or any local government agency with jurisdiction in more than one

county, is the Fair Political Practices Commission. The code reviewing body for the Fair Political Practices Commission is the Attorney General. (Sections 82011(a) and (d).)

### **III. The Amendments**

The Commission's conflict of interest code is contained in Regulation 18351. The code is being amended to reflect some changes in staff titles. In addition, since more than two years have passed since we last amended the code, other technical changes have been made as well. The specific amendments include:

#### Executive Office

- The Media Director position has been renamed Information Officer II, and the Associate Editor of Publications position is being deleted.

#### Enforcement Division

- The Assistant Division Chief position has been added.

#### Reworded Disclosure Categories

A nonsubstantive change has been made to the disclosure categories, adding the language "including gifts, loans, and travel payments," in each instance where the code instructs designated employees to disclose income. We have recommended that this language be included in all conflict of interest codes to clarify that the term "income" includes these other types of payments.

Staff requests that the Commission adopt the proposed amendments to regulation 18351.